

Missouri Veterans Commission
PRIVACY NOTICE

Effective Date: April 14, 2003

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

MISSOURI VETERANS COMMISSION COMMITMENT TO YOU:

We at the Missouri Veterans Commission understand that information we collect about you and your health is personal. Keeping your health information confidential and secure is one of our most important responsibilities. We are committed to protecting your health information and abiding by all state and federal laws regarding the protection of your health information. This notice tells you how we may use or release your health information. It also tells you about your rights and the requirements of the Missouri Veterans Commission concerning the use and disclosure of your health information.

YOUR HEALTH INFORMATION RIGHTS

You have the following rights regarding the health information that the Missouri Veterans Commission has about you:

Right to Inspect and Copy: You have the right to inspect and obtain a copy of your health information. This request may include your medical, billing or health care payment information. It does not include information that is needed for civil, criminal or administrative actions or proceedings notes. We may charge a fee for the costs of copying, mailing or other supplies associated with your request.

Right to Amend: If you feel that the health information the Missouri Veterans Commission has created about you is incorrect or incomplete, you may ask us to amend that information. The Missouri Veterans Commission may deny your request if you ask to amend information that: 1) was not created by the Missouri Veterans Commission; 2) is not part of the health information kept by the Missouri Veterans Commission; 3) is not part of the information which you would be permitted to inspect or copy; or 4) the information is determined to be accurate and complete.

Right to Accounting of Health Information Releases: You have the right to request a list of information releases that the Missouri Veterans Commission has made of your health information. The list will not include: 1) health information releases made for purposes of providing treatment to you, obtaining payment for services or releases made for administrative or operational purposes; 2) health information releases made for national security; 3) health information releases made to correctional institutions and other law enforcement custodial situations; 4) health information releases the Missouri Veterans

Commission has made based on your written authorization; 5) health information releases to persons who are involved in your care; 6) health information releases made prior to April 14, 2003.

Right to Request Restrictions: You have the right to request a restriction or limitation of the health care information the Missouri Veterans Commission uses or releases for treatment, payment or operational purposes. The Missouri Veterans Commission is not legally required to agree the requested restriction or limitation.

Right to Request Confidential Communication: You have the right to request that we communicate with you about health care matters in a certain way or at a certain location. For example, you can request that we only contact you at work or by email. The Missouri Veterans Commission will accommodate all reasonable requests. To request confidential communications, you must specify how or where you wish to be contacted.

Right to a Paper Copy of this Notice: You have the right to request a paper copy of this notice from this Missouri Veterans Commission at any time.

All requests for inspecting, copying, amending, making restrictions, or obtaining an accounting of your health information must be made in writing to the Privacy Contact at the facility in which you reside. Please ask the facility Privacy Contact for the appropriate form for your request or to obtain translation information.

HOW THE MISSOURI VETERANS COMMISSION USES AND RELEASES HEALTH CARE INFORMATION

Your health information may be used and released by the Missouri Veterans Commission for the purposes of providing treatment to you, obtaining payment for services, for administrative and operational purposes and to evaluate the quality of the services that you receive. The Missouri Veterans Commission provides a wide range and variety of health care and social services to the veterans of the state of Missouri. For this reason, not all types of uses and releases can be described in this document. We have listed some common examples of permitted uses and releases below.

For Treatment: Caregivers, such as nurses, doctors, therapists and social workers may use your health information to determine your plan of care. Individuals and programs with the Missouri Veterans Commission may share health information about you to coordinate the services you may need, such as clinical examinations, therapy, nutritional services, medications, hospitalization or follow-up care. We may also use your health information to determine if your treatment is medically necessary or to ensure that proper treatment is being given.

For Payment: The Missouri Veterans Commission may release information about you to your health plan or health insurance carrier to obtain payment for our services. For example, we may need to give your health plan information about a treatment or

vaccinations that you received so your health plan will pay us or reimburse you for treatment or services the Missouri Veterans Commission provided. We may also share your information, when appropriate, with other government programs such as Workers' Compensation or Department of Veterans Affairs in order to coordinate your benefits and payments. We may also tell your health plan about a treatment you are going to receive in order to obtain prior approval or to determine whether your plan will cover the treatment.

For Operations: The Missouri Veterans Commission may use and release information about you to ensure that the services and benefits provided to you are appropriate and are high quality. For example, we may use your information to evaluate our treatment and service programs or to evaluate the services of other providers that use government funds to provide health care services to you. We may combine health information about many individuals to research health trends, to determine what services and programs should be offered, or whether new treatments or services are useful. We may share your health information with business partners who perform functions on behalf of the Missouri Veterans Commission. For example, our business partners may use your information to perform case management, coordination of care or other assessment activities. The Missouri Veterans Commission requires that our business partners abide by the same level of confidentiality and security as the Missouri Veterans Commission when handling your health information.

To Other Government Agencies Providing Benefits or Services: The Missouri Veterans Commission may release your health information to other government agencies that are providing you with benefits or services when the information is necessary for you to receive those benefits and services.

To Keep You Informed: The Missouri Veterans Commission may contact you to tell you about health related benefits or services that may be of interest to you.

For Public Health: The Missouri Veterans Commission may release your health information to public health agencies, subject to the provisions of applicable state and federal law, for the following kinds of activities:

- To prevent or control disease, injury or disability or to keep vital statistics records such as births and deaths;
- To notify social service agencies that are authorized by law to receive reports of abuse, neglect or domestic violence;
- To report reactions to medications or problems with products to the Food and Drug Administration (FDA).

For Health Oversight Activities: The Missouri Veterans Commission may share your health information with other divisions within the agency and with other agencies for oversight activities as required by law. Examples of these oversight activities include audits, inspections, investigations and licensure.

For Law Enforcement: The Missouri Veterans Commission may release health information to a law enforcement official, subject to applicable federal and state law and regulations, for purposes that are required by law or in response to a court order or subpoena.

For Research: The Missouri Veterans Commission may release your health information for research projects that have been reviewed and approved by an institutional review board or privacy board to ensure the continued privacy and protection of the health information.

Lawsuits and Disputes: If you are involved in a lawsuit or a dispute, the Missouri Veterans Commission may release health information about you in response to a court or administrative order. We may also release health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

To Coroners, Medical Examiners and Funeral Directors: The Missouri Veterans Commission may release health information to a coroner, medical examiner or funeral director, as necessary to carry out duties as authorized by law.

For Organ Donations: If you are an organ donor, the Missouri Veterans Commission may release your health information to an organization that procures, banks, or transports organs for the purpose of an organ, eye or tissue donation and transplantation.

To Avert A Serious Threat to Health or Safety: The Missouri Veterans Commission may release your health information if it is necessary to prevent a serious threat to your health and safety or to the health and safety of the public or another person.

For National Security and Protection of the President: The Missouri Veterans Commission may release your health information to an authorized federal official or other authorized persons for purposes of national security, for providing protection to the President, or to conduct special investigations, as authorized by law.

To a Correctional Institution: If you are an inmate of a correctional institution or under the custody of a law enforcement officer, the Missouri Veterans Commission may release your health information to the correctional institution or law enforcement officer. The information released must be necessary for the institution to provide you with health care, protect your health and safety or the health and safety of others, or for the safety and security of the correctional institution.

To the Military: If you are a veteran or a current member of the armed forces, the Missouri Veterans Commission may release your health information as required by military command or veterans administration authorities.

If you do not object and the situation is not an emergency and disclosure is not otherwise prohibited by stricter laws, the Missouri Veterans Commission is permitted to release your information under the following circumstances:

To individuals involved in your care: The Missouri Veterans Commission may release your health information to a family member, other relative, friend or other person whom you have identified to be involved in your health care or the payment of your health care;

To family: The Missouri Veterans Commission may use your information to notify a family member, a personal representative or a person responsible for your care, of your location, general condition or death.

To members of the clergy: The Missouri Veterans Commission may release your religious affiliation to members of the clergy in an effort to meet your spiritual needs.

To disaster relief agencies: The Missouri Veterans Commission may release your health information to an agency authorized by law to assist in disaster relief efforts.

In a directory: The Missouri Veterans Commission may list your name, room number and general condition in a resident directory for families, volunteers and other guests.

THE MISSOURI VETERANS COMMISSION'S REQUIREMENTS

The Missouri Veterans Commission is required by state and federal law to maintain the privacy of your health information. We are required to give you this notice of our legal duties and privacy practices with respect to the health information that the Missouri Veterans Commission collects and maintains about you. We are required to follow the terms of this notice.

This notice describes and gives some examples of the permitted ways that your health information may be used or released. Release of your information outside of the boundaries of Missouri Veterans Commission-related treatment, payment or operations, or as otherwise permitted by State or Federal law, will be made *only* with your specific written authorization. You may revoke specific authorizations to release your information, in writing, at any time. If you revoke an authorization, we will no longer release your health information to the authorized recipient(s), except to the extent that the Missouri Veterans Commission has already used or released that information in reliance of the original authorization.

The Missouri Veterans Commission reserves the right to revise this notice. We reserve the right to make the revised notice effective for the health information we already have about you, as well as any information we create or receive in the future. We will provide a copy of our revised notice to you upon request. We will post a copy of the current notice at Missouri Veterans Homes, and on our website listed below. In addition, you may ask for a copy of our current Privacy Notice anytime you visit a Missouri Veterans Home.

You may also request an oral translation of this notice into your native language. When possible, a written translation will be provided. Please contact the facility Privacy Contact to arrange for translation services or materials.

FOR MORE INFORMATION OR TO REPORT A PROBLEM

If you believe your privacy rights have been violated, you are encouraged to notify the Facility Privacy Contact or the Missouri Veterans Commission Compliance Officer. You may also file a complaint with the Secretary of U.S. Health and Human Services. There will be no penalty or retaliation for filing a complaint.

State of Missouri
Missouri Veterans Commission
Compliance Officer
1719 Southridge Drive
Jefferson City, MO 65102.
Phone: (573) 581-1088, ext. 283
Email: endsle@mvc.state.mo.us